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SUMMARY RECORD OF THE 20th MEETING

Held at the Palais des Nations, Geneva,
on Monday, 24 March 1997, at 10 a.m.

Chairman: Mr. SOMOL (Czech Republic)

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The meeting was called to order at 11.35 a.m.

STATEMENT BY Ms. HANAN ASHRAWI, MINISTER OF HIGHER EDUCATION IN THE PALESTINIAN AUTHORITY

1. The CHAIRMAN said that the delay in calling the meeting to order had been due to the fact that the Officers had had to resolve an issue concerning the procedure to be followed with regard to persons of consequence who wished to address the Commission; in particular, they had had to decide whether the fact that such persons had been invited to address the Commission gave them a special status. After consultation, and on the basis of the Commission's past practice, the Officers had decided by consensus to invite the Minister of Higher Education in the Palestinian Authority to address the Commission and make a statement in accordance with rule 70 of the rules of procedure.

2. Ms. ASHRAWI (Palestine) paid tribute to the activities of the Commission, which she considered to be the collective conscience of the international community. The world was currently faced with a drastic deterioration in human rights, which took many forms: internal ethnic, tribal and cultural conflicts, the emergence of strongly centralized Governments which ignored the rules of democracy, denial of the rights of women and the disadvantaged, the appearance of new "haves" who exploited the new "have-nots" in the context of global economies and a technical information revolution whose benefits might not be available to all. At the same time, obsolete power forms - military occupation and the denial of a people's right to self-determination, such as the occupation of Palestine by Israel - continued to persist.

3. On behalf of the Palestinian people, she expressed her appreciation for the efforts made in all areas by the Office of the High Commissioner for Human Rights/Centre for Human Rights and the Commission. In particular, she thanked the Centre for the programme it had established with the Palestinian Authority with a view to promoting education in, and the enhancement of, human rights in all public institutions in the Palestinian territories. That programme promised to increase the awareness, not only of the public sector, but of the Palestinian people as a whole.

4. In that regard, the Palestinian Ministry of Higher Education and the Rectors' Conference had approved the introduction of a course on human rights and international humanitarian law in all institutions of higher education. Over 40 per cent of the Ministry's decision-making posts were currently occupied by women. As the founder and first Commissioner General of the Palestinian Independent Commission on Citizens' Rights and an elected member of the Palestinian Legislative Council for the constituency of Jerusalem, she assured the Commission that the principles of representation, accountability and the rule of law were far more than abstractions for the Palestinian people. As a people long victimized by serious violations of its rights, it was particularly sensitive to its relations with others. And, because accountability began at home, it had chosen to be self-critical, to monitor human rights violations and to ensure the accountability of those responsible.

5. She was deeply disturbed by the fact that the Palestinian-Israeli peace process was in serious jeopardy, that the partnership that had been so painfully and painstakingly built was being replaced by a relationship of occupier and occupied, and that the Israeli Government's extremism was feeding extremist elements among the Palestinians. There was a resurgence of the mentality of domination among Israelis. Although the question of Jerusalem, the capital of the emerging Palestinian State and a city sacred to Muslims, Christians and Jews, was the linchpin of peace, the Israeli Government was seeking to extract that city from the heart of Palestine; it was also dismembering the Palestinian land by establishing settlements and building bypass roads. By so doing, it was unilaterally pre-empting the outcome of the permanent status negotiations. It flagrantly ignored the interim agreements by continuing to hold hostage over 3,000 Palestinian prisoners, refusing to authorize safe passage between Gaza and the West Bank by tightening its stranglehold on the crossing points; it was turning the Palestinian territory into a prison by denying access to the Palestinian airport and harbour. It was hardly necessary to recall all the hardships caused by closure of the territories, which constituted a unique form of collective punishment.

6. She strongly denounced the discrimination of the Israeli authorities in their implementation of human rights values, the use of violence against captive Palestinians under interrogation and the fact that Israel was the only country to have legalized torture. The peace process had become an instrument of blackmail through which the Palestinian Authority was being held responsible for the security of Israelis at the expense of the rights of the Palestinian people and the integrity of the process itself. The Palestinians would not allow the peace process to be sidetracked. Only a lasting peace could guarantee the realization of human rights and allow the Israeli and Palestinian peoples to harness their energies for construction rather than destruction. The Palestinians looked to the Commission to work courageously towards that end.

REPORT OF THE SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES ON ITS FORTY-EIGHTH SESSION (agenda item 16)

(E/CN.4/1997/2-E/CN.4/Sub.2/1996/41, E/CN.4/1997/76, 77 and Add.1 and 2, 78-81 and 108; E/CN.4/Sub.2/1996/6; A/51/309; A/52/56)

7. Mr. AGNIVESH (Chairman of the Board of Trustees of the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery), introducing the report of the Secretary-General on the Voluntary Trust Fund (E/CN.4/1997/76), said that contemporary forms of slavery included slavery, the slave trade and debt servitude, the sale and traffic in human beings, forced prostitution of children and women, forced recruitment of child soldiers and the exploitation of child labour. Over 6 million people were currently being subjected to bonded labour and servitude, and 200 million children were unable to enjoy their rights fully because they were compelled to work.

8. The United Nations Voluntary Trust Fund on Contemporary Forms of Slavery had been established in 1991, and a Board of Trustees had been set up to advise the Secretariat on its administration. The Fund's mandate was to

assist victims of contemporary forms of slavery, which it did by providing financial support for the work of non-governmental organizations (NGOs). Testimony before the Working Group on Contemporary Forms of Slavery had played a crucial role in galvanizing world opinion on issues such as child labour, child prostitution and bonded labour, as evidenced by the World Congress on the Commercial Sexual Exploitation of Children held at Stockholm and the progress made towards the completion of an International Labour Organization (ILO) convention outlawing the most intolerable forms of child labour. However, the level of contributions received to date was negligible. Only five States, one NGO and one individual had contributed. On 10 December 1996, Human Rights Day, the High Commissioner for Human Rights had sent all Member States a letter asking them to make contributions to the Fund prior to the meeting of its Board of Trustees, which could grant financial assistance only on the basis of contributions that had actually been paid.

9. The Fund could make progress if only it had the means to do so. At the Board's third meeting, it had considered over a dozen applications for project assistance and about the same number of requests for assistance to enable NGOs to participate in the next meeting of the Working Group. The total requested had been about US$ 250,000. Unfortunately, the Fund had had only US$ 25,000 and had therefore been able to approve only 10 per cent of the applications.

10. The Secretary-General had recently appointed two new members of the Board and had reappointed its three previous members; the support provided by the High Commissioner/Centre for Human Rights was excellent.

11. All the mechanisms were therefore in place for the Fund's operation as envisioned in General Assembly resolution 46/122. Since 1996 had been the seventieth anniversary of the Slavery Convention and the fortieth anniversary of the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, it was extremely unfortunate that the Board had been reduced to supervising a Fund which had no funds. If no new contributions were received in the coming months, the Board would have to suggest to the Secretary-General that he should report that situation to the General Assembly and recommend putting an end to the Fund's activities.

12. Supporting the Fund would not, of course, eliminate slavery, but contributions made it possible to provide assistance and encouragement to those engaged in the fight against slavery. Any contribution, however small, would be useful. In the short term, the Board needed at least US$ 100,000 in order to meet during 1998 and to accept a minimum number of applicants; otherwise, it would be unable to fulfil the mandate entrusted to it by the international community. He called on States to do everything possible to put an end to slavery, a curse which was almost as old as mankind, by the end of the millennium.

MEASURES TO IMPROVE THE SITUATION AND ENSURE THE HUMAN RIGHTS AND DIGNITY OF ALL MIGRANT WORKERS (agenda item 11) (continued) (E/CN.4/1997/65)

RIGHTS OF PERSONS BELONGING TO NATIONAL OR ETHNIC, RELIGIOUS AND LINGUISTIC MINORITIES (agenda item 17) (continued) (E/CN.4/1997/82 and 83; E/CN.4/Sub.2/1996/2 and 28; A/51/536)

IMPLEMENTATION OF THE DECLARATION ON THE ELIMINATION OF ALL FORMS OF INTOLERANCE AND OF DISCRIMINATION BASED ON RELIGION OR BELIEF (agenda item 19) (continued) (E/CN.4/1997/91 and Add.1; E/CN.4/1997/NGO/19; A/51/542/Add.1 and 2)

13. Mr. PERERA (World Federation of United Nations Associations), speaking on agenda item 19, said that all religions called for respect for other religions or beliefs and condemned, directly or by implication, any form of intolerance or discrimination on the basis of religion. It was thus surprising that, while certain religious and political leaders attempted to ensure that members of their religion living in other countries were able to exercise their right to freedom of religion and belief, those same leaders denied those rights to people of other religions living in their own country. Great Western democracies, including those in North America, which had set themselves up as ardent defenders of human rights and fundamental freedoms, remained silent concerning flagrant violations of the right to freedom of conscience and religion and, by so doing, became a party to them. Their actions were motivated solely by the desire not to endanger their economic interests and investments in the countries in question.

14. His organization stressed the obligation of Governments to respect parents' right to ensure for their children a religious and moral education in conformity with their own convictions, a right explicitly stated in the two International Covenants on Human Rights and in the Convention on the Rights of the Child. It was therefore concerned by the proposal made by the Special Rapporteur on the question of religious intolerance in paragraph 65 of his report (E/CN.4/1997/91) concerning the shaping and implementation of a "common minimum curriculum of tolerance and non-discrimination". If that implied the formulation of a lowest common denominator of the basic values of all major religions, it might be used by some States as a justification for not including courses on specific religions in educational curricula.

15. In conclusion, his organization hoped that the peoples and Governments of all States, particularly those which claimed to defend the cause of human rights, would endeavour to promote and ensure universal and effective respect for the right to freedom of religion and belief, even at the expense of their own opportunities for investment and trade or at the risk of conflict with their particular strategic interests.

16. Mr. LACK (International Association of Jewish Lawyers and Jurists), speaking on agenda item 19, said it was unfortunate that drastic economies had prevented the Special Rapporteur on religious intolerance from publishing communications reporting allegations of actions inconsistent with the 1981 Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief and the replies of the States concerned, which were the basis for an analysis of the question. As the

Special Rapporteur had stated in paragraph 8 of his report (E/CN.4/1997/91), "this constraint ... constitutes a form of information censorship that seriously undermines the Special Rapporteur's mandate". The Special Rapporteur's summary list of countries and instances of religious intolerance were inadequate for the purpose of arriving at sustainable conclusions, except perhaps with regard to the murder of Protestant ministers in 1994 and the sentencing to death of Baha'is in Iran on the grounds of apostasy. Furthermore, the classification of attacks on freedom of religion into six general categories in paragraphs 18 to 24 of the Special Rapporteur's report gave only a general idea of widespread violations of the standards set forth in the Declaration.

17. However, it could not be denied that religious intolerance had reached an extreme degree of seriousness in countries such as Algeria and Yemen, where the entire society was threatened, or in Afghanistan, where the Taliban were, according to official sources quoted in paragraph 27 of the Special Rapporteur's report, "the most retrograde, obscurantist and backward forms [of religious intolerance] ever known not only in Afghanistan but in the region". No one would question many of the conclusions arrived at by the Special Rapporteur, particularly the fact that the right to freedom of religion could not be dissociated from the freedom to change religion and that hatred, intolerance and acts of violence motivated by religious extremism could give rise to situations that threatened international peace.

18. Dialogue between religions and continuing emphasis on the fundamental importance of education to the establishment of a culture based on tolerance must be pursued, as the Special Rapporteur had stated. However, the Commission should perhaps ask itself whether the time had not come to consider the drafting of an international instrument of a legally binding nature. Experience had shown that the 1981 Declaration, however satisfactory, was no longer sufficient since it was not binding on States as a convention would be and because, as experience had shown, States did not in fact implement it. It was therefore necessary to draft a convention which did not depart from the standards set forth in the Declaration and to secure its ratification by a sufficiently large number of States parties. As that process might take years, it should begin as soon as possible. The States members of the Commission must demonstrate their political will in that regard by deciding to establish a drafting committee to begin that work at the fifty-fourth session.

19. In conclusion, he expressed regret that the representative of the Palestinian Authority had not seen fit to deny the false allegations made by the Observer for Palestine in one of his statements to the Commission to the effect that Israelis had inoculated 300 Palestinian children with the human immunodeficiency virus (HIV) during the intifadah. Her silence might be interpreted as tacit approval of those lies.

20. The CHAIRMAN pointed out that the Commission had responded appropriately to that incident by circulating an open letter on the subject.

21. Mr. SINGH AULUWALIA (Liberation), speaking on agenda items 17 and 19, said that he applauded the efforts made by Mr. Eide, Chairman/Rapporteur of the Working Group on Minorities of the Sub-Commission on Prevention of Discrimination and Protection of Minorities to facilitate dialogue between

minorities and Governments and asked the Commission to stand firm against the efforts of certain States to restrict the Working Group's mandate further.

22. To that end, he drew the attention of the Commission to the situation of the Sikhs, who made up the majority in the State of Punjab in the north of India and were regarded as a religious minority even though they did not fit neatly into the definitions of a race, a community, a religion or a minority. They were committed to the principles of equality and plurality of thought and belief, which they considered to be the basis of a free society, and were critical of all forms of fundamentalism. While it was true, as the Special Rapporteur on religious intolerance had rightly stated in his report on his visit to India (E/CN.4/1997/91/Add.1), that the question of the Sikhs had been politicized, the fault lay not with the Sikhs but with the Indian State, whose role in that politicization had been facilitated by the country's structural and constitutional mechanisms. The politicization was the work of Indian political parties, which had exploited religious institutions and sentiments during every election since independence. The Indian armed forces' attack on the Golden Temple at Amritsar in 1984 had been the culmination of such manoeuvres by Congress. Since then, thousands of Sikhs had been killed or imprisoned and their holy books and sites had been profaned, it had been said that all Sikhs were "potential terrorists" and Congress had politicized religious bodies in order to cause schisms within the Sikh community. That political interference and the manipulation of Sikh religious sentiment were the primary reasons for calls for independence on the part of the Sikhs. It was clear that the conflict between the Sikhs and the Indian State was a political one which India was attempting to present as a religious conflict caused by fundamentalism, and the Special Rapporteur should acknowledge that fact.

23. In reality, there were four basic issues with regard to the Sikh problem. The first was the Indian State's failure to grant the Golden Temple at Amritsar the same sovereign independent status as the Vatican or Mecca. The second was the continuing attempt by India to regulate and oversee the organization of Sikh religious institutions by creating various governing bodies, the Gurdwaras, on which Indian political parties attempted to place some of their members. That was contrary to the wishes of the Sikhs, who wished to manage their own temples and administer their own religious matters without interference from political parties or the State. The third issue was the fact that the Indian Constitution did not recognize Sikhism as a religion and defined Sikhs as Hindus. The fourth and last issue was the practice of denying visas to members of Sikh political and human rights institutions who wished to make pilgrimages to holy sites in India.

24. The right of a minority to profess and practise its own religion must include control of its religious institutions. Minorities were at the mercy of the States in which they resided and the United Nations was the one place where they could hope to receive justice. His organization hoped that, with the Commission's help, India would be brave and flexible enough to take the necessary measures to resolve that long-standing conflict.

25. Mrs. SHARMIAN (International Institute of Peace), speaking on agenda item 17, said that, although diversity was the law of nature, it was currently the cause of serious conflicts in different parts of the world, particularly

in the former Yugoslavia, Afghanistan, Rwanda and Zaire. Those armed conflicts were the cause of numerous violations of the human rights of millions of people and was leading some groups to call for the creation of entities based on homogeneity, which was completely contrary to the law of nature. Instead of promoting that diversity, many States were attempting to destroy it by denying the rights of religious, ethnic or linguistic minorities living in the country and attempting to assimilate them or change their identity by constitutional, legal and cultural means. Unfortunately, that phenomenon existed in most multi-ethnic, multi-religious and multi-linguistic societies, and the frustration that it created among the minorities in question led to the development of armed nationalist movements which threatened the very existence of the pluralistic nation State.

26. Democracy was the best way to protect the rights of minorities and to allow all people, whatever their race, religion, language or ethnic origin, to live together in peace and equality. It was therefore imperative for the international community to strengthen democratic norms in order to prevent internecine battles within the human family. Only then would it be possible for the principles enshrined in the 1992 Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities to be effectively implemented.

27. Mr. ZOZULYA (Ukraine), speaking on agenda item 17, said that the protection of the human rights of members of national or ethnic, religious and linguistic minorities was an essential factor in peace and political stability at both the national and international levels. Since scarcely any country in the world was ethnically homogeneous, the question was a universal one.

28. His Government was fully aware of the importance of the problem and attached the utmost importance to the protection of the rights of its minorities in accordance with internationally recognized norms and standards. Ukraine was a party to the relevant international instruments and, in particular, it had recently acceded to the European Convention on Human Rights and the European Framework Convention for the Protection of National Minorities. The Government's policy was aimed at establishing harmonious relations between individuals of diverse ethnic origin residing in the country by fully supporting the ethnic and cultural identity of each group and at the same time encouraging national cohesion and solidarity. Thus, despite the difficult economic situation, steps had been taken to provide minorities with an education in their own languages. Moreover, the right of minorities to full respect for their ethnic, cultural, linguistic and religious identity was enshrined in article 11 of the new Constitution.

29. However, his Government categorically rejected any attempt to use ethnic questions as a political means of calling into question the integrity and stability of the country.

30. One of the specific issues faced by Ukraine was the renewal of the rights of the peoples who had been deported from its territory under the Stalin regime. His Government was doing its utmost to secure the return to Ukraine of the Crimean Tatars, Germans, Greeks and others and to ensure their legal, political, social and cultural rehabilitation. However, that process entailed considerable expense and his Government hoped that the Regional

Conference on Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States, held at Geneva in May 1996, would contribute to a solution to that problem.

31. His delegation had welcomed Commission resolution 1995/24, which authorized the Sub-Commission on Prevention of Discrimination and Protection of Minorities to establish an inter-sessional working group on minorities. The Working Group should focus its activities on the search for peaceful and constructive solutions to the problems of minorities and on ways of promoting the peaceful coexistence of the different groups within society, while respecting the territorial integrity and political independence of States. It should also consider ways of achieving a better comprehension and implementation of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities.

32. Experience had shown that domestic policy alone could not prevent ethnic tension and that constructive cooperation between countries of residence and countries of origin could be of great help in improving the situation. Ukraine had therefore concluded bilateral treaties with several States which had population groups of Ukrainian origin. However, the support of the international community and, in particular, of United Nations agencies, treaty bodies and special rapporteurs in that area was also essential. In that regard, his delegation welcomed the decision of the High Commissioner for Human Rights/Centre for Human Rights to focus on regional cooperation for the protection of minorities.

33. Improved international monitoring to ensure that all Governments met their responsibilities with regard to the protection of the human rights of ethnic minorities would undoubtedly help to promote peace and stability throughout the world; his delegation was ready to contribute constructively to that process.

34. Ms. SONAM (China) speaking on agenda item 17, said that the protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities was a major aspect of the promotion and protection of human rights. She expressed appreciation to the Commission and the Sub-Commission for their useful work in that field.

35. All Governments were duty-bound to ensure that the minorities living in their countries enjoyed equal rights in the political, economic, cultural, religious, educational and social fields in accordance with the relevant international instruments. International cooperation and exchanges could also contribute to promoting and protecting the rights of minorities, provided that they were based on mutual respect and took into account the historical, cultural and economic particularities of each of the countries concerned.

36. China was a unified multi-ethnic State whose territorial integrity, national unity, prosperity and stability were inextricably linked to the unity of its various ethnic groups. For that reason, her Government attached great importance to the protection of the rights of ethnic minorities and had taken appropriate steps to do so. For example, all ethnic groups, regardless of their size, were amply represented in the National People's Congress. The

Government recruited officials at all levels from the various ethnic minorities. The property rights of minorities and their right to use their own language and follow their customs and traditional cultures were safeguarded by the law.

37. Furthermore, some degree of autonomy had been granted to areas inhabited mainly by ethnic minorities. Under the overall leadership of the central Government, those areas had been able to set up autonomous institutions through which they were free to run their own affairs.

38. Lastly, the State promoted the common prosperity of all ethnic groups. Under the Regional Autonomy Act, affirmative action had been taken to encourage economic and cultural progress in the regions inhabited by ethnic minorities, including tax exemption, greater economic freedom, assistance in the training of human resources and the financing of infrastructural projects. For example, every year the State provided approximately eight billion yuan in financial assistance to the eight provinces and autonomous regions, and the Ninth Five-Year Plan for Economic and Social Development provided for a further increase in that type of investment, particularly in the interior and the west of the country.

39. The efforts made for almost 50 years on behalf of the regions peopled by ethnic minorities had brought remarkable progress to those regions, particularly with regard to the enjoyment of fundamental human rights by such minorities. Her Government would continue its endeavour to ensure the protection of the rights of minorities and was prepared to pursue international cooperation in that field.

40. Mr. RYTÖVUORI (Observer for Finland), speaking on agenda item 7 on behalf of the five Nordic countries, said that the presence of national or ethnic, linguistic and religious minorities in a country was sometimes considered to be a source of tension and conflict but that it was also a source of cultural enrichment and lessons in tolerance. To reduce tension, it was important, first of all, to ensure that the members of such minorities enjoyed all the fundamental human rights on the same basis as other citizens. That sometimes meant that they must be granted not only equal treatment but also the means of developing their own characteristics. It was, of course, essential that the minorities should themselves abide by democratic rules and permit the enjoyment of human rights by all of their members, including women and children.

41. In the European context, minority issues were dealt with primarily in the Council of Europe and the Organization for Security and Cooperation in Europe (OSCE).

42. It was, nevertheless, clear that the United Nations had a crucial role to play in the protection of minorities. The adoption in 1992 of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities had been a major achievement. That was only a beginning, however, and it was important that the implementation of the international standards concerning those rights should not remain frozen at

their current minimum level. Further work must be done in that area and, where appropriate, encouraging experiments at the national, bilateral and regional levels should be used as models.

43. With that in mind, the Nordic countries had welcomed the establishment in 1995 of the Working Group on Minorities of the Sub-Commission. The Working Group had already taken positive steps by encouraging dialogue between Governments, international organizations, NGOs, experts and representatives of the various minority groups. It had since decided to place greater emphasis on the search for concrete solutions to the problems of members of minority groups and, in that regard, the Nordic countries hoped that it would pay greater attention to national experiences and, after analysing the content and scope of the principles contained in the Declaration, would make specific and concrete recommendations for their application. The Working Group's mandate should be extended so that it could continue its important task of monitoring the situation of persons belonging to minorities. The protection of the rights of minorities should indeed remain a continuing concern within the United Nations.

44. Mr. MAJDI (Observer for Morocco), speaking on agenda item 11, said that Europe had first begun to rely heavily on foreign manpower after the First World War, but that the great increase in immigration had begun after the Second World War. However, from the mid-1970s onwards that policy had been officially halted and various attempts had been made to encourage immigrants to return to their countries of origin. With the economic crisis and the increase in structural unemployment, migrant workers had become undesirable almost overnight: in particular, they were accused of encumbering the labour market, straining the social services system and being responsible for a rise in the crime rate. Over the years, discriminatory regulations had been instituted in an attempt to limit their freedom of movement. Some host countries had not only complicated their daily life by imposing constant restrictions but subjected them to inhuman treatment by refusing them the right to family reunification, arbitrarily expelling them or attempting to impose humiliating measures such as the requirement that they should wear a distinctive badge.

45. The question of migrant workers was a question not only of migration but also, and above all, of human rights. Although all such workers supposedly enjoyed the rights and fundamental freedoms set forth in the 1948 Universal Declaration of Human Rights and the International Covenants of 1966, to which most States had acceded, their situation was in reality far more precarious. It was significant that the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, adopted by the United Nations General Assembly in 1990, had so far been ratified by only a very small number of States, a fact which was preventing it from entering into force.

46. His delegation strongly urged States to remedy that situation and invited NGOs to play a more active role in that regard. It hoped that the Commission on Human Rights would give that question all the attention that it deserved.

47. Ms. TANAKA (International Movement against All Forms of Discrimination and Racism), speaking on agenda item 17, said that the question of the rights of minorities had been one of the major concerns of the international community since the adoption of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities and the establishment of a Working Group on Minorities in 1995. She commended the Working Group's efforts to hold a constructive dialogue with minority groups by allowing the participation of all NGOs, even those which did not have consultative status with the Economic and Social Council. However, the Working Group had obviously not yet found concrete solutions to the problems it was responsible for considering and its mandate could thus usefully be extended. In its future work, the Working Group should pay more attention to the situation of women belonging to minorities, since they were victims of a double discrimination as both women and members of a minority group. In reviewing constitutions or other legislation intended to protect the rights of minorities, it should also consider to what extent those provisions were genuinely implemented in practice at the national, regional, and even local levels. The pious statements made in that regard by the representatives of States were sometimes deceptive.

48. With regard to the current situation of minorities in Europe, her organization particularly appreciated the steps taken by a number of States and regional organizations, such as the Council of Europe and OSCE, to protect and promote the rights of the Sinti and Roma minorities. Despite those encouraging measures, however, the situation of the Roma and Sinti had continued to deteriorate in many parts of Europe, where they were confronted by racial and social prejudice, sometimes on the part of the public authorities. In Germany, for example, the Bavarian authorities were reported to be experimenting with a system of computer registration of Sinti and Roma in which the members of that ethnic group were designated "Sinti/Roma type". The Commissioner for the Protection against Data Abuse in Bavaria had invoked the need to assist criminal justice as justification for the computerized listing. That example - which was only one of many types of discrimination against the Sinti and Roma - showed that it was not sufficient officially to enact legal provisions for the protection of minorities: it was also necessary to ensure that they were implemented. Her organization called on the Working Group on Minorities and other United Nations bodies working in that field, including the Commission on Human Rights, to take an active interest in the matter.

The meeting rose at 1.05 p.m.